

IN THE HIGH COURT OF AUSTRALIA
PERTH REGISTRY

No. P48 of 2016

BETWEEN:

WESTERN AUSTRALIAN PLANNING COMMISSION

Appellant

and

TREVOR NEIL LEITH
Respondent



APPELLANT'S CHRONOLOGY

Part I:

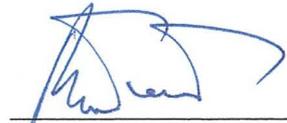
I certify that this chronology is in a form suitable for publication on the internet.

Part II:

Date	Event	Appeal book reference
23.10.2002	Notice is published in the <i>Government Gazette</i> containing the text of the Peel Region Scheme (PRS); stating that it has been approved and is to be tabled in Parliament.	
20.03.2003	The PRS comes into effect. A portion of Lot 20 Estuary Road, Dawesville (Lot 20) is reserved for Regional Open Space and is thereby injuriously affected.	
25.03.2003	The Respondent enters into a contract to purchase Lot 20 for \$1,280,000.	
04.04.2003	Notice is published in the <i>Government Gazette</i> that the PRS came into effect on 20.03.2003.	
30.06.2003	Settlement of the contract of sale of Lot 20 occurs. Transfer of Lot 20 to the Respondent is registered.	
09.12.2004	Decision of the High Court in <i>WAPC v Temwood Holdings Pty Ltd</i> [2004] HCA 63; (2004) 221 CLR 30.	
09.04.2006	Commencement of Part 11 of <i>Planning and Development Act 2005</i> (WA). Repeal of <i>Western Australian Planning Commission Act 1985</i> (WA); <i>Metropolitan Region Town Planning Scheme Act 1959</i> (WA) and the <i>Town Planning and Development Act 1928</i> (WA) takes effect.	

10	11.06.2009	A development application for proposed development within the Regional Open Space reserve over Lot 20 is refused by the Defendant.	
	29.06.2009	A claim for compensation for injurious affection for \$20,000,000 lodged with the appellant by the Respondent's solicitors.	
	04.03.2010	The Appellant's solicitors advised the Respondent's solicitors that, while the Appellant acknowledged receipt of the Respondent's claim for compensation, the Appellant did not offer any amount of compensation because the Respondent did not own Lot 20 at the time the PRS was made.	
20	01.07.2014	Supreme Court proceedings CIV 1921 of 2014 commenced.	
	26.11.2014	Hearing of the stated case before Beech J.	
	22.12.2014	Reasons for Decision and Orders of Beech J.	
	30.01.2015	Appellant commences appeal to Court of Appeal.	
	23.10.2015	Court of Appeal hearing.	
	24.03.2016	Reasons for Decision and Orders of Court of Appeal.	
	19.04.2016	Appellant lodges application for special leave to appeal in High Court.	
30	01.09.2016	Special leave granted by Kiefel and Nettle JJ.	

Dated this 6th day of October 2016



KM Pettit SC
Francis Burt Chambers



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